

MacNeill, O'Neill & Riveles, LLC

COUNSELLORS AT LAW

JAY SCOTT MACNEILL †
LAUREN KOFFLER O'NEILL † •
GARY L. RIVELES †
THOMAS J. PYLE, JR. •
ROBERT E. SPITZER •
PATRICIA M. WASON ◻
FREDERICK J. HUGHES +

ETHAN LILLIANTHAL •
ANELIA DIKOVYTSKA BROWN •
GARY MINASSIAN

240 CEDAR KNOLLS ROAD-SUITE 104
CEDAR KNOLLS, NEW JERSEY 07927

(973) 409-6600
FAX (862) 260-9313

www.morlawnj.com

† CERTIFIED CIVIL TRIAL
ATTORNEY
• NJ AND NY BAR
+ NJ AND PA BAR
◻ NJ, NY AND OH BAR
• NJ, NY AND MA BAR

February 9, 2022

VIA ECOURTS

Honorable Leda Dunn Wettre, U.S.M.J.
United States District Court for the
District of New Jersey
50 Walnut Street
Room 515
Newark, NJ 07102

RE: Polynice v. NJ Department of Corrections
Docket No.: 2:19-cv-16875-MCA-LDW
MOR File No. 9028.05267

Dear Judge Wettre:

This firm represents University Correctional Health Care and Latifa Fedai, APN, in connection with the above-referenced matter. As Your Honor may recall, Plaintiff's counsel sought to file an Amended Complaint in this action to name the above-referenced Defendants in this matter, which has been pending since 2019. By Order dated October 25, 2021, Your Honor denied Plaintiff's Motion, indicating that Plaintiffs should have sought to add the above-referenced Defendants to this action much earlier. I am now in receipt of Plaintiff's Motion to alter or amend Your Honor's October 25, 2021 Order denying Plaintiff's Motion to Amend the Complaint, and seeking to again file an Amended Complaint to name my clients as Defendants in this action. Plaintiff has filed this as a "Cross-Motion" in connection with defendant New Jersey Department of Correction's Motion for Summary Judgment. Since we are not parties to the action, and Plaintiff's Motion has absolutely nothing to do with co-defendant New Jersey Department of Correction's Motion for Summary Judgment, I believe that this is an improper "Cross-Motion." Accordingly, I write to inquire as to whether or not Plaintiff's Motion will be scheduled in accordance with the District Court of New Jersey's Motion schedule, or if it will follow the Amended Scheduling Order dated November 10, 2021 for filing papers in connection with this Motion, whereby opposition to this Motion will be due March 15, 2022.

Very truly yours,

MACNEILL, O'NEILL & RIVELES, LLC

/s/Thomas J. Pyle, Jr.
Thomas J. Pyle, Jr.

TJP/beb

cc Michael Poreda, Esq.
Chanell Marie Branch, Esq.